

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROHULLAH ALLAHYAR,

Plaintiff,

v.

DAMAN MOMAND,

Defendant.

No. 2:25-cv-0102-TLN-CKD (PS)

FINDINGS & RECOMMENDATIONS

Plaintiff Rohullah Allahyar filed a pro se¹ civil complaint naming Daman Momand as the defendant and appearing to assert a claim related to a refusal to make a business payment. (ECF No. 1.) Plaintiff also filed an application to proceed in forma pauperis (“IFP”). (ECF No. 2.)

On March 12, 2025, the undersigned reviewed plaintiff’s IFP affidavit and found it did not demonstrate plaintiff was unable to pay the court costs because plaintiff reported a regular source of income and no expenses. (ECF No. 3.) Accordingly, the court ordered plaintiff to either submit the filing fee and administrative fee to the Clerk of the Court or file a renewed application to proceed IFP application. (*Id.*) Plaintiff has not renewed the IFP application, paid the filing fee, or otherwise acknowledged the court’s order filed on March 12, 2025.

¹ This matter is before the undersigned pursuant to 28 U.S.C. § 636 and Local Rule 301(c)(21).

1 In the court's order dated March 12, 2025, plaintiff was specifically cautioned that failure
2 to pay the court costs or file a renewed IFP affidavit would result in a recommendation that the
3 application to proceed in forma pauperis be denied and the present action be dismissed. Despite
4 this warning, plaintiff has failed to take action necessary to properly commence this case.

5 For the reasons set forth above, IT IS HEREBY RECOMMENDED that plaintiff's motion
6 to proceed in forma pauperis (ECF No. 2) be denied and this action be dismissed without
7 prejudice for failure to pay the filing fee.

8 These findings and recommendations are submitted to the United States District Judge
9 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14)
10 days after being served with these findings and recommendations, plaintiff may file written
11 objections with the court. Such a document should be captioned "Objections to Magistrate
12 Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within
13 the specified time may waive the right to appeal the District Court's order. Turner v. Duncan, 158
14 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153, 1156-57 (9th Cir. 1991).

15 Dated: April 22, 2025

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17 CAROLYN K. DELANEY
18 UNITED STATES MAGISTRATE JUDGE

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